

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

Chambers of  
**BENSON EVERETT LEGG**  
Chief Judge

101 West Lombard Street  
Baltimore, Maryland 21201  
(410) 962-0723

March 26, 2003

MEMORANDUM TO COUNSEL RE: Diagnostic Resource Group, LLC v.  
Toshiba America Medical Systems, Inc.  
Civil #L-02-3020

Dear Counsel:

On March 26, 2003, the Court held oral argument on all outstanding motions. This letter is to confirm the substance of the decisions made during the conference.

The new schedule relating to the issue of limitations is as follows:

- (i) the deadline for discovery on limitations issues is May 30, 2003;
- (ii) on or before June 20th, Mr. Schumm is to adopt and, if necessary, supplement previously filed summary judgment papers;
- (iii) Mr. Sperling's response is due on or before July 11th;
- (iv) Mr. Schumm's reply is due on or before July 21st; and
- (v) at 2:00 p.m. on September 5th, the Court will hold argument on the motion.

To request changes to this schedule, Counsel should jointly submit a request to chambers in writing. All issues relating to damages shall be postponed until the limitations issues have been resolved.

All outstanding motions regarding discovery disputes (Docket Nos. 15, 16, 21 and 23) are DENIED as MOOT. Defendant's previously filed Motion for Summary Judgment (Docket No. 17) is ADMINISTRATIVELY CLOSED. It may be adopted through reference in Defendant's new summary judgment motion.

Despite the informal nature of this memorandum, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.

Very truly yours,

/s/ Benson Everett Legg

c: Court file